



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PLYMOUTH BEEF CO., INC.,

Plaintiff,

-against-

WONDER FOOD DISTRIBUTORS, et al.,

Defendants.

20-CV-4029 (PGG) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

On November 10, 2020, the undersigned magistrate judge conducted a settlement conference, at the conclusion of which all parties agreed to a global settlement and placed the material terms of their settlement on the record. On November 11, 2020, the district judge issued an order dismissing the action with prejudice and without costs, "provided, however, that if the settlement is not consummated within thirty days of this order, either party may apply by letter within the thirty-day period for restoration of the action to the calendar of the undersigned, in which event the action will be restored." (Dkt. No. 42.) Twenty-eight days later, on December 9, 2020, plaintiff Plymouth Beef Co., Inc. submitted a letter to the undersigned magistrate judge by email, reporting that defendant Wonder Food Distributors has failed to execute the parties' written settlement agreement or pay any portion of the settlement consideration, such that "we must request an extension of the deadline." Although the letter copied to counsel for all parties by email, it was not filed on ECF.

Absent extraordinary circumstances not present here, the undersigned magistrate judge does not accept letter-motions by email. Further, applications for extension of the 30-day period set forth in the district judge's November 11 order must be addressed to the district judge.

Dated: New York, New York
December 9, 2020

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses".

BARBARA MOSES
United States Magistrate Judge